

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BOARD OF TRUSTEES OF THE LOCAL 50
PENSION FUND,

Plaintiff,

-against-

ORDER

11 CV 5115 (DRH) (WDW)

J. KRUPP,

Defendant.

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HURLEY, Senior District Judge:

On February 27, 2012, this Court granted plaintiff's motion for an entry of default judgment against defendant J. Krupp, and referred the case to Magistrate Judge William D. Wall, pursuant to 28 U.S.C. § 636(b)(3), for a report and recommendation as to damages and attorneys' fees. On August 22, 2012, Judge Wall issued a Report and Recommendation that judgment be entered against the defendant for the following amounts: (1) \$134,364.00 in withdrawal liability; (2) \$3,150.00 in attorneys' fees; and (3) \$394.50 in costs. On August 30, 2012, defendant was served with a copy of the Report and Recommendation. More than fourteen days have elapsed since service of the Report and Recommendation. No party has filed any objections.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the August 22, 2012 Report and Recommendation of Judge Wall as if set forth herein. Accordingly, the Court hereby directs that plaintiff Board of Trustees of the Local 50 Pension Fund recover from defendant J. Krupp the amount of \$137,908.50, as itemized below, and that judgment be entered accordingly:

(1) \$134,364.00 in withdrawal liability;

(2) \$3,150.00 in attorneys' fees;

(3) \$394.50 in costs.

Upon entry of judgment, the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, New York
September 26, 2012

 /s/
Denis R. Hurley
United States District Judge